

## WESTON O SPER TAT PROGRAM

OIL AND HAZARDOUS SPILL INVESTIGATION FORMCASE NO. FV85-1702

## 1. Name, address and telephone number of discharger:

Local OfficeHome Office

Bath Electrical Services /  
5009 N. Highway 288  
Clute, Texas  
(409) 265-6124

Same

## 2. Date, exact time and person (name, company, address and telephone number) giving notice of the discharge to EPA:

September 18, 1985 - Time unknown - BES Tom Soderman (address above) called the Dallas EPA in the afternoon.

## a. Who is a responsible person for discharger (foreman, supervisor, etc.):

Thomas Soderman, President, Bath Electrical Services

## b. When did such person have knowledge of the spill? (Exact time and date, and how):

0715, September 18, 1985. Janak & Smith saw spill when they arrived at the site.

## c. Did any other person employed by the discharger have knowledge of the spill?

Dennis Janak and Don Smith

## d. How did such other employee learn of the spill (visual, telephone, etc.)?

Visual

## e. Has the discharger had previous experiences which would alert him to reporting requirements under P.L. 92-500, Sec. 311?

No

## 3. If notice to EPA was given by a person other than the discharger, indicate the chain of events leading to notice to EPA:

Discharger gave notice to EPA Dallas office. First the Texas Water Commission was contacted, then the Houston EPA office, then the Dallas office.

90072421





4. **Date and exact time of discharge:**  
Exact time unknown - Work of vandals suspected. Early morning hours of September 18, 1985.
5. **Type of facility from which discharge occurred:**  
Electrical Equipment Repair facility
6. **Location of spill (County, State, Town):**  
Brazoria, Texas, Clute
7. **Type of material discharged:**  
Polychlorinated biphenyls in mineral oil
8. **Amount discharge:**  
4,000 gallons
9. **Amount of material actually entering waters:**  
Unknown - At least 3,000 gallons
  - a. **Was oil visible on surface of water or was sludge deposited below the surface of water:**  
Oil visible on surface
10. **Receiving waters, including other waters affected and first major watercourse downstream:**  
Drainage ditch leading to Bastrop Bayou - Spill was contained before it reached bayou.
  - a. **Was water flowing or does it form contiguous surface with identifiable "navigable waters of the U.S."?**  
Yes - forms contiguous surface with navigable water
11. **Environmental damage (fish kills, effects on other wildlife, effects on vegetation from pollutant or burning, etc.):**  
Fish (minnows) in highway drainage ditch died
12. **Cleanup:**
  - a. **Amount of pollutant recovered:**  
All - Cleanup level to 10 ppm or less
  - b. **Letter of responsibility issued?**  
Yes
  - c. **Letter disapproving cleanup effort issued?**  
No
  - d. **General evaluation of cleanup efforts by discharger (Good, Poor, Excellent; explain):**  
Slow starting but once financial matters had been settled the cleanup proceeded rapidly

e. Revolving Fund used? No

Project Number: N/A

f. Coast Guard Strike Force used?

No

13. Cause of discharge (equipment failure, personnel failure, emergency, third part, Act of God, etc.; explain concisely):

Vandalism thought to be the cause. Tanks (4) were vented and the discharge valves were opened

a. Could the discharge have been prevented using reasonable care?

Yes - Valves on tanks could have been locked, as security fencing does not encompass the entire site

b. Has the operator had other discharges from similar type failures?

No

c. Did the owner/operator take special care to avoid discharges of this nature?

Will be placing any such PCB-contaminated oil in a locked building in the future

14. Photographs taken? (Attach description and identification of photographs including (a) subject and location; (b) date, time, photographer and witness; (c) type and make of camera; and (d) type of film):

Photos taken. Vivitar SP 35 mm ASA 100 & ASA 400 film used

15. Samples taken? (Attach description of samples including (a) date, time and location of samples; (b) person taking samples and witness; and (c) analysis made? If not, disposition of samples.)

Yes - COC copy included in report

16. State of other Federal agencies present. Include names, addresses, and telephone numbers of agency personnel contacted. Any other reports attached?

Elani Gray - Texas Water Commission - Deer Park, Texas (713) 479-5981.  
Mr. R. A. Kees, Inspector, Brazoria County Health Dept. 200 E. Locuts, Angleton, Texas 77515 (409) 849-5711

17. Name, address and telephone numbers of witnesses other than those mentioned above. Statements taken? If not, attach narrative of conversation with witnesses.

Larry Froebe, Ph.D. Ecology & Environment, Inc. 1509 Main Street, Suite 814, Dallas, Texas 75201. (214) 742-6601. Dr. Froebe served as an on-site Consultant to the insurance company, Liberty Mutual, paying for the offsite cleanup. His input is detailed in the text of the written report.

18. Map (handsketched or otherwise) should be attached showing drainage pattern:

Map included with report

**19. Information on spill history:**

Neighboring resident had complained of past runoff of oil from the BES site

**20. Do you have evidence or indication that a penalty resulting from the spill would impair the ability of the discharger to remain in business?**

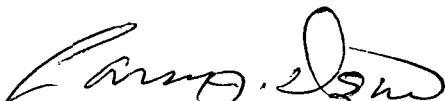
Yes - Discharger had great difficulty in funding a relatively minor cleanup on the BES property. Company has had at least 3 bad business years in a row

**21. SPCC Plan available? N/A - Tanks are mobile**

SPCC Plan implemented? N/A

**22. Additional Comments or observations:**

Dr. Froebe, Ecology & Environment, was quite valuable in getting the PRP cleanup going because of his past experience as a TAT contractor or to EPA. He was able to convince the insurance company which he represented (as a consultant) that the cleanup was entirely necessary. Someone with less than Dr. Froebe's experience, in this TAT's opinion, would have had difficulty in getting the insurance company to move as quickly as they did. Had that been the case, an EPA cleanup would have been an unavoidable consequence.



Investigator Signature

Reviewer Signature

Name Larry J. Dziuk

Name \_\_\_\_\_

Office Houston

Office \_\_\_\_\_

Position Chemist/Toxicologist

Position \_\_\_\_\_

Date of Report 10/10/85

Date of Report \_\_\_\_\_

**DISTRIBUTION:**

Original - EPA Regional Office

Copy - NPMO File

Copy - TAT Regional File